

Approved pursuant to the Delegated Authority contained in Government Management Committee Item GM6.18 entitled "Policy with Respect to the Sale/Disposition of Land" adopted as amended by City Council on July 16, 17, 18 and 19, 2007. By-law No. 814-2007, enacted on July 19, 2007.

Prepared By:	Mike Saffran	Division:	Real Estate Services
Date Prepared:	October 7, 2016	Phone No.:	(416) 392-7205

Purpose: To declare surplus a residual parcel of City-owned land at the rear of 11 Hounslow Heath Road, with the intended manners of disposal to be by way of inviting offers to purchase from the owners of 9, 11 and 15 Hounslow Heath Road, respectively.

Property: A residual parcel of land legally described as, and shown as Parts 1-6 and Part 9 on Plan 66R-28169 attached as Appendix "A".

Actions:

1. Part 9 on Plan 66R-28169 be declared surplus, subject to any registered easements and an offer to purchase Part 9 be invited from the owner of 9 Hounslow Heath Road.
2. Parts 3, 4, 5 and 6 on Plan 66R-28169 be declared surplus, subject to any registered easements and an offer to purchase Parts 3, 4, 5 and 6 be invited from the owner of 11 Hounslow Heath Road. Prior to any sale, the City requires the owner of 11 Hounslow Heath Road provide a Quit Claim/Release to the City with respect to Parts 2, 3, 4 and 5 on expropriation Plan 66D-1036 prior to any sale.
3. Parts 1 and 2 on Plan 66R-28169 be declared surplus, subject to any registered easements and an offer to purchase Parts 1 and 2 be invited from the owner of 15 Hounslow Heath Road. Prior to any sale, the City requires the owner of 15 Hounslow Heath Road provide a Quit Claim/Release to the City with respect to any interest in Parts 2, 3, 4 and 5 on expropriation Plan 66D-1036.
4. That City Council, as the approving authority under the *Expropriations Act*, authorize the disposition of such land, Parts 1-6 and Part 9 on Plan 66R-28169 (the "Plan") without giving the owner(s) from whom the land was expropriated the first chance to repurchase the land on the terms of the best offer received by the expropriating authority.
5. Notice be published in a newspaper in circulation in the area of Part 1 and Part 4 and be posted on the City's website.
6. All steps necessary to comply with the City's real estate disposal process, as set out in Chapter 213 of the City of Toronto Municipal Code, be taken.

Financial Impact: There are no financial implications resulting from this approval. The Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.

Background: At its meeting of November 6, 7 and 8, 2001 City Council adopted without amendment, Clause 4 of Administration Committee Report No. 16, the Expropriation of 11R Hounslow Heath Road (the "Report"). The purpose of the Report was for: (1) public laneway purposes, (2) parks purposes and (3) to extinguish legal non-conforming uses pursuant to subsection 34(8) of the *Planning Act* as the expropriated lands were being used as a scrap yard.

The Report proposed three matters, (1) that Parts 10 and 12 on Plan 66R-28169 form a public lane once Transportation Services dedicates these parts by By-law, (2) Part 11 on the Plan form part of Wadsworth Park and (3) that the remaining residual portions on the Plan, Parts 1, 2, 3, 4, 5, 6 and 9 be declared surplus and offered to the adjacent owners.

Continued on Page 4

Comments: See Page 4

Property Details:

Ward:	17 – Davenport		
Assessment Roll No.:	1904-03-2-220-05210		
	Residual Lands	Lane	Park
	Total Areas:	280.7m ² (3021.5.9 ft ²)	219.9m ² (2,367 ft ²)
	Plan 66R-28169		54.7 m ² (588.8 ft ²)
	9R Hounslow – Part 9 Heath Road	87.5 m ² (941.9 ft ²)	Parts 10 & 12 Part 11
	11R Hounslow – Parts 3-6 Heath Road	129.6 m ² (1,395.0 ft ²)	
	15R Hounslow – Parts 1-2 Heath Road	63.6 m ² (684.6 ft ²)	
Other Information:			

Yes No Lands are located within the Green Space System or the Parks & Open Space Areas of the Official Plan.

Pre-Conditions to Approval:

- (1) **Highways** - The GM of Transportation Services has concurred in the Highway being declared surplus conditional upon City Council approving the permanent closure of the Highway.
- (2) **Lands located within the Green Space System and the Parks & Open Space Areas of the Official Plan** - The Chief Planner & Executive Director and the GM of Parks, Forestry & Recreation have confirmed that the land being exchanged is (i) nearby land of equivalent or larger area, and (ii) of comparable or superior green space utility.

Chief Corporate Officer has approval authority for:

- A (1)** declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require the declaration of surplus or the intended manner or process by which the sale of the land will be carried out to be determined by Council.
- (2)** determining the method of giving notice to the public, following consultation with the local Councillor (§ 213-7)
 - Councillor has been consulted regarding method of giving notice to the public.
- (3)** exempting sales to the following public bodies from the requirement for an appraisal, provided that the local Councillor (or if the land abuts other wards, the local Councillors) does not require the determination to be made by Council (§ 213-4):
 - (a) a municipality
 - (b) a local board, including a school board and a conservation authority
 - (c) the Crown in right of Ontario or Canada and their agencies
 - n/a Councillor(s) agrees with exemption from appraisal. **[Revise box to an x if any of (3)(a)-(c) applies.]**
- (4)** exempting the sale of land in the following classes from the requirement for an appraisal and/or for notice to the public, provided that the local Councillor(s) (if the land abuts other wards) does not require the determination to be made by Council (§ 213-5):
 - (a) land 0.3 metres or less in width acquired in connection with an approval or decision under the *Planning Act*
 - (b) closed highways if sold to an owner of land abutting the closed highways
 - (c) land formerly used for railway lines if sold to an owner of land abutting the former railway land
 - (d) land does not have direct access to a highway if sold to the owner of land abutting that land
 - (e) land repurchased by an owner in accordance with section 42 of the *Expropriations Act*
 - (f) easements
 - n/a Councillor(s) agrees with exemption from appraisal. **[Revise box to an x if any of (4)(a)-(f) applies.]**
 - n/a Councillor(s) agrees with exemption from notice to the public. **[Revise box to an x if any of (4)(a)-(f) applies.]**
- (5)** revising the intended manner of sale
- (6)** rescinding the declaration of surplus authority

Title	Date	Recommended/ Approved
Manager	Oct. 12, 2016	Nick Simos
Director	Oct. 12, 2016	Joe Casali
Chief Corporate Officer	Oct. 13, 2016	Josie Scioli
Return to:		
Mike Saffran (392-7205)		
Real Estate Services		
2nd Floor, Metro Hall		
DAF Tracking No.: 2016-023		

Consultation with Councillor(s):						
Councillor:	Cesar Palacio					
Contact Name:	Annette Di Prospero					
Contacted by	<input checked="" type="checkbox"/> Phone	<input checked="" type="checkbox"/> E-mail	<input type="checkbox"/> Memo	<input type="checkbox"/> Other		
Comments:	<ul style="list-style-type: none"> Concurs with recommendation – October 6, 2016 Does not require the matter to be determined by Council Does not require further consultation re: public notice 					
Councillor:						
Contact Name:						
Contacted by	<input type="checkbox"/> Phone	<input type="checkbox"/> E-mail	<input type="checkbox"/> Memo	<input type="checkbox"/> Other		
Comments:	Concurs with Financial Impact Statement – March x, 2016					

Consultation with other Division(s):			
Division:		Division:	Financial Planning
Contact Name:	Luigi Nicolucci TS/ David Douglas P,F&R	Contact Name:	Filisha Mohammed
Comments:	Provided comments / Provided comments October 5, 2016 October 3, 2016	Comments:	Concurs with Financial Impact Statement – September 29, 2016
Real Estate Law Contact:	Soo Kim Lee	Date:	September 28, 2016

Background	<p>By the adoption of Government Management Committee Report, GM10.14, City Council at its meeting of December 11, 12 and 13, 2007 authorized, as the approving authority, the approval of the disposal of the expropriated lands to parties other than those from whom the land was expropriated, without first giving those expropriated owners the right they would otherwise have of first chance to repurchase the lands set out in Section 42 of the <i>Expropriations Act</i>. Authority has been sought in the Actions above declaring the residual portions surplus and offering these residual portions to the adjacent owners.</p> <p>Currently, the owner of 15 Hounslow Heath Road leases Parts 1 and 2 on the Plan for an annual net rent of \$450.00 for parking at the rear of her property. The lease is presently in overhold, however, the lease will merge and terminate upon the sale of Parts 1 and 2 to this owner.</p>
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Comments	<p>A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Property. No municipal interest was expressed. Staff of the Affordable Housing Office has determined that there is no interest in the Property for affordable housing. Accordingly, it is appropriate that the Property be declared surplus.</p> <p>Jurisdictional Transfers from Real Estate Services to Transportation Services for Parts 10 and 12 on the Plan and from Real Estate Services to Parks, Forestry and Recreation for Part 11 on the Plan have been considered by the Property Management Committee. PMC at its meeting of October 19, 2015 and March 21, 2016 has reviewed this matter and concurs.</p> <p>By memorandum dated May 25, 2016, the Chief Corporate Officer & Chief Financial Officer directed the change in operational management of Part 11 on Plan 66R-28169 to Parks, Forestry & Recreation for incorporation into Wadsworth Park.</p> <p>At its meeting of July 12, 13, 14, and 15, 2016, City Council adopted without amendment, EY15.55, Dedication of a Portion of City-owned Land and a Parcel of Park Land at the Rear of 11R Hounslow Heath, for Public Lane Purposes. In effect By-law No. 701-2016, has dedicated Parts 10 and 12 on Plan 66R-28169 as a public lane which permits access to the public lane for the homeowners of 9, 11 and 15 Hounslow Heath Road.</p>
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Appendix "A"
Location Map, Aerial of Subject Property and R-Plan 66R-28169



